

Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.J.R. No. 28 on June 1, 2003: Yeas 31, Nays 0.

Filed with the Secretary of State June 3, 2003.

H.J.R. No. 44

A JOINT RESOLUTION

proposing a constitutional amendment to permit a six-person jury in a district court misdemeanor trial.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Section 13, Article V, Texas Constitution, is amended to read as follows:

Sec. 13. Grand and petit juries in the District Courts shall be composed of twelve persons, *except that petit juries in a criminal case below the grade of felony shall be composed of six persons*; but nine members of a grand jury shall be a quorum to transact business and present bills. In trials of civil cases[, and in trials of criminal cases below the grade of felony] in the District Courts, nine members of the jury, concurring, may render a verdict, but when the verdict shall be rendered by less than the whole number, it shall be signed by every member of the jury concurring in it. When, pending the trial of any case, one or more jurors not exceeding three, may die, or be disabled from sitting, the remainder of the jury shall have the power to render the verdict; provided, that the Legislature may change or modify the rule authorizing less than the whole number of the jury to render a verdict.

SECTION 2. The proposed constitutional amendment shall be submitted to the voters at an election to be held September 13, 2003. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to permit a six-person jury in a district court misdemeanor trial."

Passed by the House on May 2, 2003: Yeas 135, Nays 0, 3 present, not voting; the House concurred in Senate amendments to H.J.R. No. 44 on May 30, 2003: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 28, 2003: Yeas 31, Nays 0.

Filed with the Secretary of State June 2, 2003.

H.J.R. No. 51

A JOINT RESOLUTION

proposing a constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale.

BE IT ENACTED BY THE Legislature of the State of Texas:

SECTION 1. Sections 13(c) and (d), Article VIII, Texas Constitution, are amended to read as follows:

(c) The former owner of a residence homestead[, sold for unpaid taxes and the former owner of] land designated for agricultural use, or a mineral interest sold for unpaid taxes shall within two years from date of the filing for record of the Purchaser's Deed have the right to redeem the property on the following basis:

(1) Within the first year of the redemption period, upon the payment of the amount of money paid for the property, including the Tax Deed Recording Fee and all taxes, penalties, interest, and costs paid plus an amount not exceeding 25 percent of the aggregate total; and

(2) Within the last year of the redemption period, upon the payment of the amount of money paid for the property, including the Tax Deed Recording Fee and all taxes, penalties, interest, and costs paid plus an amount not exceeding 50 percent of the aggregate total.

PROPOSED CONSTITUTIONAL AMENDMENTS

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(d) If the residence homestead or land designated for agricultural use [property] is sold pursuant to a suit to enforce the collection of the unpaid taxes, the Legislature may limit the application of Subsection (c) of this section to property used as a residence homestead when the suit was filed and to land designated for agricultural use when the suit was filed.

SECTION 2. The following temporary provision is added to the Texas Constitution:

TEMPORARY PROVISION. (a) This temporary provision applies to the constitutional amendment proposed by the 78th Legislature, Regular Session, 2003, to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale and expires January 1, 2005.

(b) The amendments to Sections 13(c) and (d), Article VIII, of this constitution, take effect January 1, 2004, and apply only to the redemption of a mineral interest sold at a tax sale for which the purchaser's deed is filed for record on or after January 1, 2004. The redemption of a mineral interest sold at a tax sale for which the purchaser's deed is filed for record before January 1, 2004, is covered by the law in effect when the deed is filed, and the former law is continued in effect for that purpose.

SECTION 3. This proposed constitutional amendment shall be submitted to the voters at an election to be held September 13, 2003. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to establish a two-year period for the redemption of a mineral interest sold for unpaid ad valorem taxes at a tax sale."

Passed by the House on April 29, 2003: Yeas 141, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.J.R. No. 51 on May 30, 2003: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2003: Yeas 31, Nays 0.

Filed with the Secretary of State June 2, 2003.

H.J.R. No. 54

A JOINT RESOLUTION

proposing a constitutional amendment providing that certain benefits in certain public retirement systems may not be reduced or impaired.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Article XVI, Texas Constitution, is amended by adding Section 66 to read as follows:

Sec. 66. PROTECTED BENEFITS UNDER CERTAIN PUBLIC RETIREMENT SYSTEMS. (a) This section applies only to a public retirement system that is not a statewide system and that provides service and disability retirement benefits and death benefits to public officers and employees.

(b) This section does not apply to a public retirement system that provides service and disability retirement benefits and death benefits to firefighters and police officers employed by the City of San Antonio.

(c) This section does not apply to benefits that are:

(1) health benefits;

(2) life insurance benefits; or

(3) disability benefits that a retirement system determines are no longer payable under the terms of the retirement system as those terms existed on the date the retirement system began paying the disability benefits.

(d) On or after the effective date of this section, a change in service or disability retirement benefits or death benefits of a retirement system may not reduce or otherwise impair benefits accrued by a person if the person:

(1) could have terminated employment or has terminated employment before the effective date of the change; and